

1 Honorable James L. Robart  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON

9 Wilfredo FAVELA AVENDAÑO, et al.,  
10 Petitioners-Plaintiffs,  
11 v.  
12 Drew BOSTOCK, Director of the Seattle  
Field Office of U.S. Immigration and Customs  
Enforcement, et. al.,  
13 Respondents-Defendants.

Case No. 20-cv-700-JLR

**[PROPOSED] ORDER GRANTING  
STIPULATED MOTION TO DISMISS  
AND GRANTING FINAL APPROVAL  
OF PROPOSED CLASS SETTLEMENT**

The Parties have filed a Stipulated Motion to Dismiss and Grant Final Approval of the class action settlement (Dkt. # 656). The Court has carefully considered the Class Settlement Agreement together with all exhibits thereto, all the filings related to the settlement, the arguments of counsel, and the record in this case. The Court also held a fairness hearing on May 30, 2023, following notice to the class as approved by the Court's previous order granting preliminary approval of the Agreement. The Court finds that the Agreement is sufficiently fair, reasonable, and adequate.

1 **IT IS HEREBY ORDERED THAT:**

- 2       1. This Case is dismissed with prejudice. The Parties shall bear their own attorney's fees  
3 and costs, except as provided by the Agreement.
- 4       2. The Agreement is hereby incorporated by reference in this Order, and all terms or  
5 phrases used in this Order shall have the same meaning as in the Agreement.
- 6       3. The Court grants final approval of the Agreement, finding that the terms of the  
7 Agreement are fair, reasonable, and adequate as required by Fed. Rule Civ. Proc.  
8 23(e)(2).
- 9       4. The Court previously certified the class as "All individuals detained at the Northwest  
10 Detention Center who are age 55 years or older or have medical conditions that place  
11 them at heightened risk of severe illness or death from COVID-19 as determined by  
12 Centers for Disease Control and Prevention guidelines." This is also the class for  
13 settlement purposes.
- 14       5. As specified in the Agreement, and notwithstanding the dismissal of this case, the  
15 Court shall retain jurisdiction over all disputes between and among the Parties arising out  
16 of the Agreement, including but not limited to interpretation and enforcement of the  
17 terms of the Agreement, except as otherwise provided in the Agreement, for a term of  
18 one year after Final Approval because the Presidential national emergency declaration  
19 concerning COVID-19 expired on May 11, 2023.
- 20       6. Neither the settlement, nor any exhibit, document, or instrument delivered thereunder  
21 shall be construed as or deemed to be evidence of an admission or concession by  
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1 Defendants or an interpretation of any liability or wrongdoing by Defendants, or of the  
2 truth of any allegations asserted by Plaintiffs, Class Members, or any other person.

3 7. The Parties' Stipulated Motion for Final Approval of Proposed Class Settlement  
4 ("Motion") is hereby GRANTED. The Court hereby approves the proposed class-wide  
5 relief set forth in the Agreement.

6 **IT IS SO ORDERED.**

7 Dated this 30th day of May, 2023.



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10 Honorable James. L. Robart  
11 United States District Judge  
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13 Presented this 17th day of May, 2023.

14 /s/ Matt Adams

15 Matt Adams, WSBA No. 28287  
matt@nwirp.org

16 /s/ Aaron Korthuis

17 Aaron Korthuis, WSBA No. 53974  
aaron@nwirp.org  
18 Northwest Immigrant Rights Project  
615 Second Ave., Suite 400  
Seattle, WA 98104  
19 Tel: (206) 957-8611

20 /s/ Tim Henry Warden-Hertz

21 Tim Henry Warden-Hertz  
WSBA No. 53042  
tim@nwirp.org  
22 Northwest Immigrant Rights Project  
1119 Pacific Ave., Suite 1400  
Tacoma, WA 98402  
23 Tel: (206) 957-8652

24 /s/ David C. Fathi

David C. Fathi, WSBA No. 24893\*\*  
dfathi@aclu.org

/s/ Eunice H. Cho

Eunice H. Cho, WSBA No. 53711  
echo@aclu.org  
American Civil Liberties Union Foundation  
National Prison Project  
915 15th St. NW, 7th Floor  
Washington, DC 20005  
Tel: (202) 548-6616

Omar C. Jadwat\*

ojadwat@aclu.org  
American Civil Liberties Union Foundation  
Immigrants' Rights Project  
125 Broad St., 18th Floor  
New York, NY 10004  
Tel: (212) 549-2600

1           /s/ LaRond Baker  
2 LaRond Baker, WSBA No. 43610  
3 baker@aclu-wa.org  
4 American Civil Liberties Union of  
Washington  
P.O. Box 2728  
Seattle, WA 98111  
5 Tel: (206) 624-2184

My Khanh Ngo\*  
mgno@aclu.org  
American Civil Liberties Union Foundation  
Immigrants' Rights Project  
39 Drumm St.  
San Francisco, CA 94111  
Tel: (415) 343-0774

6           *Attorneys for Plaintiffs*  
7 \*Admitted *pro hac vice*  
8 \*\*Not admitted in D.C.; practice limited to  
federal courts

9 NICHOLAS BROWN  
United States Attorney

10          /s/ Michelle R. Lambert  
11 MICHELLE R. LAMBERT, NY # 4666657  
Assistant United States Attorney  
12 United States Attorney's Office  
1201 Pacific Avenue, Suite 700  
13 Tacoma, WA 98402  
Telephone No. (253) 428-3824  
14 E-mail: michelle.lambert@usdoj.gov

15          /s/ James C. Strong  
16 JAMES C. STRONG, WSBA # 59151  
Assistant United States Attorney  
United States Attorney's Office  
700 Stewart Street, Suite 5220  
17 Seattle, WA 98101  
Telephone No. (206) 553-7970  
E-mail: james.strong@usdoj.gov

18          *Attorneys for Federal Respondents-Defendants*

19          s/ Joan Mell  
20 Joan K. Mell  
III Branches Law, PLLC  
1019 Regents Blvd. Ste. 204  
Fircrest, WA 98466  
253-566-2510 (p)  
281-664-4643 (f)  
joan@3brancheslaw.com

21          *Attorney for Respondent-Defendant the Facility Administrator of the Northwest ICE  
Processing Center*